



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FEB 23 2004

In re Patent Application of

GABERT

Atty. Ref.: 1721-21; Confirmation No. 5387

Appl. No. 09/530,363

Group: 1637

Filed: May 1, 2000

Examiner: Spiegler

For: METHOD FOR DIAGNOSING IN VITRO PATHOLOGIES ASSOCIATED WITH  
GENE ARRANGEMENTS AND DIAGNOSIS KITS

\* \* \* \* \*

Tuesday, February 17, 2004

(Monday, February 16, 2004 -  
Federal Holiday)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**AMENDMENT**

Responsive to the Official Action dated October 16, 2003, entry and  
consideration of the following amendments and remarks are requested; the period for  
response having been extended up to and including Tuesday, February 17, 2004, by  
submission of the requisite petition and fee, attached.

02/20/2004 HALI11 00000116 09530363

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110.00 OP

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In re Patent Application of

Atty Dkt. 1721-21

C# M#

GABERT

TC/A.U. 1637

Serial No. 09/530,363

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Title: METHOD FOR DIAGNOSING IN VITRO PATHOLOGIES ASSOCIATED WITH GENE ARRANGEMENTS AND DIAGNOSIS KITS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**AMENDMENT**

This is an Amendment and noted attachments in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment 20 minus highest number  
previously paid for 20 (at least 20) = 0 X \$ 18.00 \$ 0.00

Independent claims after amendment 2 minus highest number  
previously paid for 3 (at least 3) = 0 X \$ 86.00 \$ 0.00

If proper multiple dependent claims now added for first time, add \$290.00 (ignore improper) \$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$420.00/2 months; \$950.00/3 months) \$ 110.00

Terminal disclaimer enclosed, add \$ 110.00 \$ 0.00

☐ First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$770.00) \$ 0.00

☐ Please enter the previously unentered, filed

☐ Submission attached

**Subtotal \$ 110.00**

If "small entity," then enter half (1/2) of subtotal and subtract -\$ 0.00

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$180.00) \$ 0.00

Assignment Recording Fee (\$40.00) \$ 0.00

Attachment: Amendment; MLL FusionChip™ Kit "Instructions for Use" (17 pages); 10 page sample from IPSOGEN web page; copy of cited PCR Laboratory Manual 0.00

**TOTAL FEE ENCLOSED \$ 110.00**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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BJS:

NIXON & VANDERHYE P.C.  
By Atty: B. J. Sadoff, Reg. No. 36,663

Signature: 